

LAW OFFICES OF PETER C. LUCAS, LLC

725 Carol Avenue

P.O. Box 490

Oakhurst, New Jersey 07755

Tel: (732) 663-9100

Fax: (732) 663-0029

Attorneys for Neil Engel, Lori Engel, Brian Engel and Jason Engel

<p>IN RE:</p> <p>MARK ENGEL</p> <p>Debtor.</p>	<p>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY CASE NO. 2019-20646-KCF</p> <p><b>CERTIFICATION OF COUNSEL IN REPLY TO LIMITED OBJECTION OF ANDREA DOBIN, CHAPTER 7 TRUSTEE, TO MOTION FOR RELIEF FROM STAY TO PURSUE PROBATE LITIGATION</b></p> <p><b>Honorable Kathryn C. Ferguson, U.S.B.J.</b></p> <p><b>Chapter 7</b></p> <p><b>Hearing Date: August 11, 2020</b></p> <p><b>Hearing Time: 10:00 a.m.</b></p>
--	--

Peter C. Lucas, Esq., of full age, does certify as follows:

1. I am attorney-at-law and partner in the law firm of Law Offices of Peter C. Lucas, LLC, attorneys for Neil Engel, Lori Engel, Brian Engel and Jason Engel (hereinafter “the Engels”) in this matter and as such I am fully familiar with the facts and circumstances herein.
2. I make this certification in further support of the Notice of Motion for Relief from the Automatic Stay filed on behalf of the Engels and in reply to the limited objection filed by Andrea Dobin, Chapter 7 Trustee.

3. With respect to the estate administration action in the Estate of Martha R. Engel in the Superior Court of New Jersey, Chancery Division, Probate Part, Ocean County, under Docket Nos.: OCN-P-229721 and OCN-C-190-19, captioned *Neil Engel, Lori Engel, Brian Engel, Jason Engel v. Mark Engel*, the Verified Complaint was voluntarily dismissed given the subject Chapter 7 proceeding.

4. In filing the instant Notice of Motion for Relief from the Automatic Stay, the Engels are seeking relief from same in order to file and prosecute a complaint to: (1) remove Mark Engel (hereinafter “the Debtor”) as Executor of the Estate of Martha R. Engel; (2) replace the Debtor with Neil Engel as Executor of the Estate of Martha R. Engel; (3) compel the Debtor to provide an accounting of the Estate of Martha R. Engel; (4) surcharge the Debtor for any actions or failure to take actions as Executor of the Estate of Martha R. Engel post-petition; (5) recover any property the Debtor may have fraudulently transferred as Executor of the Estate of Martha R. Engel; and (6) seek damages for any pre-petition fraud or negligence as the Debtor would not be entitled to a discharge.

5. Any distribution from the Estate of Martha R. Engel that would be payable to the Debtor would be turned over to Ms. Dobin as the Chapter 7 Trustee if Neil Engel is Executor of the Estate of Martha R. Engel.

I hereby certify that the foregoing statements made by me are true. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: August 6, 2020

BY: /s/ Peter C. Lucas  
PETER C. LUCAS